

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**LEVESTER GILLARD, SR.,  
ADC #92839**

**PLAINTIFF**

**V.**

**CASE NO. 5:14CV170-JM-BD**

**CONNIE WILKERSON, et al.**

**DEFENDANTS**

**ORDER**

On May 1, 2014, Plaintiff Levester Gillard, Sr., an inmate at the Arkansas Department of Correction (“ADC”), filed this case *pro se* under 42 U.S.C. § 1983. (Docket entry #2) Mr. Gillard was granted *in forma pauperis* status on May 6, 2014, and was allowed to proceed on a deliberate-indifference claim and a state law negligence claim.

Service of summonses and complaints have been executed upon all Defendants with the exception of Troy Moore, whom Mr. Gillard identifies as a unit physician who provided medical services. The first summons to Mr. Moore, served in care of the ADC, was returned unexecuted. (#24) The second summons to Mr. Moore, served in care of his last-known mailing address, was returned unclaimed. (#39)

On July 29, 2014, Mr. Gillard was directed to obtain a valid service address for Defendant Moore and to file a motion for service on or before October 28, 2014. Mr. Gillard was warned that failure to comply with the Court’s order could result in the dismissal of his claims against Defendant Moore. (#40) Mr. Gillard has failed to effect service of process upon Mr. Moore, and the time for doing so has expired.

Because Mr. Gillard has failed to effect service of process upon Troy Moore, his claims against Defendant Moore are DISMISSED, without prejudice, under Federal Rule of Civil Procedure 4(m) and Local Rule 5.5(c)(2).

DATED this 24<sup>th</sup> day of November, 2014.

  
UNITED STATES DISTRICT JUDGE